

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

V.

LBRY, INC.,

Defendant.

Civil Action No. 21-cv-00260

## **PLAINTIFF'S APPENDIX OF SUMMARY JUDGMENT EXHIBITS**

| <b>Exhibit No.</b> | <b>Description</b>   |
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| 1                  | Excerpts from LBRY, Inc.’s (“LBRY”) Answer.                                    |
| 2                  | LBRY’s Business Pln (or Plan), dated October 2016.                             |
| 3                  | LBRY’s Website Excerpt: Overview.  |
| 4                  | LBRY’s Website Excerpt: Team.  |
| 5                  | LBRY web post titled, “LBRY in 2022,” dated February 11, 2022.                 |
| 6                  | Excerpts from the Deposition Transcript of Alex Grintsvayg.                    |
| 7                  | Excerpts from the Investigative Testimony of Jeremy Kauffman.                  |
| 8                  | Excerpts from the Investigative Testimony of Joshua Finer.                     |
| 9                  | LBRY Web Post titled “Celebrating 5 Years of the LBRY Blockchain.”             |
| 10                 | Reddit post and thread excerpt, re: How is LBRY Content Hosted.                |
| 11                 | Excerpts from LBRY’s Response and Objections to Second Set of Interrogatories. |
| 12                 | LBRY Development Update for February 2020.                                     |
| 13                 | Excerpts from LBRY’s Response and Objections to First Requests for Admissions. |
| 14                 | March 1, 2021 e-mail from Niko Storni to Team@lbry.com.                        |
| 15                 | Excerpts from LBRY’s Response and Objections to First Set of Interrogatories.  |
| 16                 | Excerpts from the Investigative Testimony of Thomas Zarebczan.                 |
| 17                 | LBRY’s Website Excerpt: June and July 2018 updates.                            |

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| 18 | LBRY's Website Excerpt: February and March 2019 updates.  |
| 19 | LBRY's Website Excerpt: October and December 2019 updates.  |
| 20 | Excerpts from the Deposition of LBRY's 30(b)(6) witness.  |
| 21 | LBRY's Website Excerpt: What is YouTube Sync?   |
| 22 | Excerpts from the Deposition of Jeremy Kauffman.  |
| 23 | LBRY FaceBook site.   |
| 24 | LBRY's Website Excerpt: Jeremy Kauffman post: "Open Beta? New Features? Keep Your Eye on the LBRY Roadmap." |
| 25 | LBRY's Website Excerpt: "LBRY Roadmap" – 2019.  |
| 26 | LBRY's Website Excerpt: "LBRY Roadmap" – 2020.  |
| 27 | Social Media message thread, dated August 5, 2019: discussing LBRY roadmap and investing in LBC.            |
| 28 | LBRY's Website Excerpt: "LBRY Roadmap" – through 2018.  |
| 29 | Excerpts from the Deposition of James Goldstein.  |
| 30 | "Answers to the Big Questions from our Reddit AMA," by Mike Vine, dated September 28, 2016.                 |
| 31 | Audio Archive of "Ask Me Anything (AMA)," with Jeremy Kauffman, dated July 9, 2020.                         |
| 32 | LBRY's Website Excerpt: March 2018 update.  |
| 33 | "\$1.2B Market Cap and We Don't Care," by Mike Vine, dated July 15, 2016.                                   |
| 34 | Reddit post and thread excerpt, re: Sell or Hold [LBC].   |
| 35 | LBRY's Website Excerpt: "How does the company behind LBRY make money."                                      |
| 36 | GitHub History of LBRY Webpage re: FAQ - "How does the company behind LBRY make money."                     |
| 37 | "The Appcoin Revolution: Interview with Mike Vine of LBRY," dated February 2016.                            |
| 38 | LBRY's Website Excerpt: "Block is Love, Blockchain is Life," by Jeremy Kauffman, dated January 10, 2018.    |
| 39 | LBRY's Website Excerpt: "Why Doesn't LBRY Just Use Bitcoin?," by Samuel Bryan, March 17, 2016.              |
| 40 | LBRY's Website Excerpt: "What is LBRY doing with non-mined Credits."  |
| 41 | "Making Netflix and Youtube Outdated: How Blockchain Changes Media," July 5, 2016 (Mike Vine interview).    |

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| 42 | Reddit post and thread excerpt, re: LBRY.   |
| 43 | LBRY's Website Excerpt: "Acryptypical: The CEO of LBRY on the Price of the LBC."                        |
| 44 | Reddit post and thread excerpt, re: LBRY ("Isn't the coin overpriced right now?").                      |
| 45 | Excerpt-summary of LBRYnomics data from LBRY_SEC00056705.   |
| 46 | LBRY Web Post entitled, "The LBRY Economy," dated October 14, 2020.                                     |
| 47 | LBRY's LBC Value Model & Projected Value of its LBC Reserve or Pre-mine.                                |
| 48 | August 9, 2016 e-mail from Jeremy Kauffman re: Betting on Laws of Economics; attaching "lbry-deck.pdf." |
| 49 | November 10, 2020 e-mail from Jeremy Kauffman re: \$11 million in 11 sentences.                         |
| 50 | LBRY investor pitch deck outline & talking points.  |
| 51 | LBRY Play, Share, Earn deck.  |
| 52 | LBRY slack message thread starting with message from Sigwart, dated October 5, 2017.                    |
| 53 | LBRY slack message thread starting with message from "natalie," dated November 28, 2017.                |
| 54 | LBRY slack message thread starting with message from Zarebczan, dated December 19, 2017.                |
| 55 | Reddit post and thread re: "LBRY- 7 Questions before you invest," dated January 2, 2018.                |
| 56 | LBRY spreadsheet listing employees in Employee LBC Purchase Program (redacted).                         |
| 57 | June 5, 2017 e-mail from Jamie Goldstein re: Credit Sale v. Traditional Fundraise.                      |
| 58 | August 17, 2018 e-mail from Josh Finer: LBRY Credits Now Trading – LBC.                                 |
| 59 | May 20, 2020 e-mail from Jeremy Kauffman re: Data on LBRY, attaching "lbry-deck-20200427."              |
| 60 | CoinMarketCap Summary of LBC Trading, July 2016 through June 2019.                                      |
| 61 | CoinMarketCap Summary of LBC Trading, June 2019 through December 2021.                                  |
| 62 | Q4 2020 LBRY Quarterly Credit Report – excel spreadsheet (redacted).                                    |
| 63 | Q3 2020 LBRY Quarterly Credit Report – excel spreadsheet (redacted).                                    |
| 64 | Q2 2020 LBRY Quarterly Credit Report – excel spreadsheet (redacted).                                    |
| 65 | Trading Records of LBRY's sales of LBC on CoinEx.   |
| 66 | CoinMarketCap Summary of LBC Trading, November 2019 through January 2020.                               |

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| 67 | CoinMarketCap Summary of LBC Trading, November 2020 through January 2021.          |
| 68 | LBRY's Amended Response to First Set of Interrogatories.                           |
| 69 | September 17, 2019 letter from LBRY to Binance/Calvin re: Listing of LBC.          |
| 70 | LBRY's Website Excerpt: "Quarterly Credit Report, Third Quarter of 2017."          |
| 71 | LBRY's LBC trading records on Bittrex and Poloniex from 2017-2018.                 |
| 72 | Q1 2020 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 73 | Q3 2017 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 74 | Q4 2017 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 75 | Q1 2018 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 76 | Excerpts from the Deposition of David Balter.                                      |
| 77 | September 30, 2017 e-mail from David Balter re: LBC.                               |
| 78 | October 3, 2017 e-mail from Josh Finer re: LBC.                                    |
| 79 | April 4, 2018 e-mail from Phil Picariello re: LBC Buys for Club 5 & 6.             |
| 80 | May 30, 2018 e-mail from Jeremy Kauffman re: Pillar Note Restructure.              |
| 81 | Token Issuance Agreement between LBRY and Pillar I (AIV), LP.                      |
| 82 | September 1, 2016 e-mail from Mike Vine re: lbry tweet.                            |
| 83 | LBRY's Website Excerpt: "Credit Policy and 3 <sup>rd</sup> Quarter Credit Report." |
| 84 | Excerpts from the Deposition of Michael Finger, including Errata Sheet.            |
| 85 | LBRY's Website Excerpt: "Quarterly Credit Report: Third Quarter 2020."             |
| 86 | Q4 2019 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 87 | Q3 2019 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 88 | Q2 2019 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 89 | Q1 2019 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 90 | Q4 2018 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 91 | Q3 2018 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 92 | Q2 2018 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 93 | Q2 2017 LBRY Quarterly Credit Report – excel spreadsheet (redacted).               |
| 94 | LBRY Website Excerpt: "What are LBRY Rewards?"                                     |
| 95 | LBRY Website Excerpt: "Monetization of Content."                                   |

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| 96  | LBRY Website Excerpt: “New Creator Rewards (Views, Follows) and YouTube Program Improvements.”                                 |
| 97  | LBRY Web Post titled, “LBRY + Altonomy: Market-Making Partnership,” dated June 29, 2020.                                       |
| 98  | May 1, 2020 e-mail from Jeremy Kauffman re: Some Quick Hits, attaching “two-million.”  |
| 99  | LBRYnomics data excerpts from December 31, 2019.   |
| 100 | LBRYnomics data excerpts from December 31, 2020.   |
| 101 | Reddit post titled “\$0.25!” and thread from March 2021 discussing price of LBC.   |
| 102 | LBRY Tweet by Zarebczan, from March 2018, re: Binance and investor hype.   |
| 103 | Excerpt from MoonPay affiliate agreement.  |
| 104 | Summary of Moonpay00001 showing totals of sales of LBC by LBRY made with MoonPay’s assistance.                                 |
| 105 | Reddit post and thread re: “this coin needs a rebrand,” dated February 21, 2018.   |
| 106 | Excerpts from LBRY’s Response and Objections to Second Request for Admissions.   |
| 107 | Excerpt from Bittex LBC trading records showing accounts with largest trading volume [Bittrex-SECLBRY-0000002] (redacted).     |
| 108 | Q3 2016 LBRY Quarterly Credit Report – excel spreadsheet (redacted).   |
| 109 | LBRY’s Website Excerpt: “Our Christmas Surprise!” by Mike Vine, dated December 24, 2015.                                       |
| 110 | LBRY’s Website Excerpt: “Tipping in LBC,” by Samuel Bryan, May 12, 2016.   |
| 111 | December 11, 2017 e-mail from Jeremy Kauffman re: Next Steps.  |
| 112 | LBRY’s Website Excerpts: Various Quarterly Reports.  |
| 113 | LBRY Profit and Loss Table, January 2018 – March 2021.   |
| 114 | LBRY Profit and Loss Table, March – October 2021.  |
| 115 | Equity Right: Credit Conversion summary.   |
| 116 | Web article authored by UVCoins titled, “LBRY – Undervalued Coin? Fundamental and Technical Analysis,” dated January 2, 2018.  |
| 117 | LBRY webpage titled, “Art in the Internet Age: An Introduction to LBRY.”   |
| 118 | LBRY web post titled, “Shapeshift Adds LBRY Credits! Instant Conversion to Bitcoin, Ethereum, and More,” dated August 8, 2016. |

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| 119 | Reddit post titled “What legitimate issues/concerns have you come across about this project?” and thread from March 2018.                         |
| 120 | Web article authored by Joel Valenzuela, titled “LBRY Launches Blockchain-Based Creator-Controlled Content App, New Appcoin,” dated July 4, 2016. |
| 121 | Web article authored by Olivia Vanni titled, “LBRY’s Blockchain-Based Netflix-Killer is Now in Beta,” dated July 11, 2016.                        |
| 122 | LBRY web post titled, “Mike Vine Joins LBRY as Technology Evangelist,” dated October 22, 2015.  |
| 123 | Odysee-branded LBRY Investor Pitch Deck.  |
| 124 | Article titled, “Buy Equity or Tokens – Let’s Do the Math,” drafted by LBRY investor.   |
| 125 | Excerpts from LBRY’s Amended Responses and Objections to First Requests for Admissions.   |
| 126 | LBRY web post titled, “Looking Back and Moving Forward: LBRY in 2017/2018”  |